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13 *Attorney General Kristin K. Mayes and*  
14 *State of Arizona*

15 UNITED STATES DISTRICT COURT  
16 DISTRICT OF ARIZONA

17 Mi Familia Vota, et al.,  
18 Plaintiffs,  
19 v.  
20 Adrian Fontes, et al.,  
21 Defendants.

No. CV-22-00509-PHX-SRB (Lead)

**DEFENDANTS ATTORNEY  
GENERAL KRISTIN K. MAYES AND  
STATE OF ARIZONA’S ANSWER  
TO FIRST AMENDED COMPLAINT  
FOR DECLARATORY AND  
INJUNCTIVE RELIEF FILED BY  
LUCHA PLAINTIFFS**

22  
23 THIS DOCUMENT RELATES TO:

No. CV-22-00519-PHX-SRB

24  
25 Defendants the State of Arizona and Attorney General Kristin K. Mayes  
26 (collectively, the “State”) answer the First Amended Complaint (Doc. 67) filed on July 18,  
27 2022 by Plaintiffs Living United for Change in Arizona, League of United Latin American  
28 Citizens, Arizona Students’ Association, ADRC Action, Inter Tribal Council of Arizona,

1 Inc., San Carlos Apache Tribe, and Arizona Coalition for Change (“Plaintiffs”) as follows:

2 1. The State admits that HB 2492 and 2243 were enacted in 2022 and that  
3 Plaintiffs generally describe the nature of their claims in this action. The State denies the  
4 remaining allegations in Paragraph 1.

5 2. Deny.

6 3. This paragraph includes legal conclusions that require no response. If a  
7 response is required, the State lacks sufficient information to admit or deny the allegations  
8 in Paragraph 3 and therefore denies the same.

9 4. This paragraph includes legal conclusions that require no response. If a  
10 response is required, the State lacks sufficient information to admit or deny the allegations  
11 in Paragraph 4 and therefore denies the same.

12 5. This paragraph includes legal conclusions that require no response. If a  
13 response is required, the State lacks sufficient information to admit or deny the allegations  
14 in Paragraph 5 and therefore denies the same.

15 6. The State lacks sufficient information to admit or deny the allegations in  
16 Paragraph 6 and therefore denies the same.

17 7. This paragraph includes legal conclusions that require no response. If a  
18 response is required, the State lacks sufficient information to admit or deny the allegations  
19 in Paragraph 7 and therefore denies the same.

20 8. Deny.

21 9. The State admits that Plaintiffs generally describe the nature of their claims  
22 in this action. The State denies the remaining allegations in Paragraph 9.

23 **JURISDICTION AND VENUE**

24 10. The State admits that the Court has subject matter jurisdiction over this action.

25 11. Admit.

26 12. Admit.

27 13. Admit.

28 14. Admit.



1           30. The State lacks sufficient information to admit or deny the allegations in  
2 Paragraph 30 and therefore denies the same.

3           31. The State lacks sufficient information to admit or deny the allegations in  
4 Paragraph 31 and therefore denies the same.

5           32. The State lacks sufficient information to admit or deny the allegations in  
6 Paragraph 32 and therefore denies the same.

7           33. The State lacks sufficient information to admit or deny the allegations in  
8 Paragraph 33 and therefore denies the same.

9           34. The State lacks sufficient information to admit or deny the allegations in  
10 Paragraph 34 and therefore denies the same.

11           35. The State lacks sufficient information to admit or deny the allegations in  
12 Paragraph 35 and therefore denies the same.

13           36. The State lacks sufficient information to admit or deny the allegations in  
14 Paragraph 36 and therefore denies the same.

15           37. The State lacks sufficient information to admit or deny the allegations in  
16 Paragraph 37 and therefore denies the same.

17           38. The State lacks sufficient information to admit or deny the allegations in  
18 Paragraph 38 and therefore denies the same.

19           39. The State lacks sufficient information to admit or deny the allegations in  
20 Paragraph 39 and therefore denies the same.

21           40. The State lacks sufficient information to admit or deny the allegations in  
22 Paragraph 40 and therefore denies the same.

23           41. The State lacks sufficient information to admit or deny the allegations in  
24 Paragraph 41 and therefore denies the same.

25           42. The State lacks sufficient information to admit or deny the allegations in  
26 Paragraph 42 and therefore denies the same.

27           43. The State lacks sufficient information to admit or deny the allegations in  
28 Paragraph 43 and therefore denies the same.

1           44. The State lacks sufficient information to admit or deny the allegations in  
2 Paragraph 44 and therefore denies the same.

3           45. Admit.

4           46. Admit.

5           47. This paragraph includes legal conclusions that require no response. If a  
6 response is required, the State admits that the quoted language is accurately reproduced, but  
7 it lacks sufficient information to admit or deny any remaining allegations in Paragraph 47  
8 and therefore denies the same.

9           48. This paragraph includes legal conclusions that require no response. If a  
10 response is required, the State lacks sufficient information to admit or deny the allegations  
11 in Paragraph 48 and therefore denies the same.

12           49. This paragraph includes legal conclusions that require no response. If a  
13 response is required, the State lacks sufficient information to admit or deny the allegations  
14 in Paragraph 49 and therefore denies the same.

15           50. This paragraph includes legal conclusions that require no response. The State  
16 alleges that the Supreme Court decision speaks for itself and further denies any allegations  
17 contained in this paragraph that are inconsistent with or otherwise mischaracterize that  
18 decision.

19           51. This paragraph includes legal conclusions that require no response. If a  
20 response is required, the State admits that the quoted language is accurately reproduced, but  
21 it lacks sufficient information to admit or deny any remaining allegations in Paragraph 51  
22 and therefore denies the same.

23           52. This paragraph includes legal conclusions that require no response. If a  
24 response is required, the State lacks sufficient information to admit or deny the allegations  
25 in Paragraph 52 and therefore denies the same.

26           53. This paragraph includes legal conclusions that require no response. If a  
27 response is required, the State admits that the quoted language is accurately reproduced, but  
28 it lacks sufficient information to admit or deny any remaining allegations in Paragraph 53

1 and therefore denies the same.

2 54. This paragraph includes legal conclusions that require no response. If a  
3 response is required, the State lacks sufficient information to admit or deny the allegations  
4 in Paragraph 54 and therefore denies the same.

5 ***Birthplace Requirement***

6 55. This paragraph includes legal conclusions that require no response. The State  
7 alleges that HB 2492 speaks for itself and is accurately quoted, but further denies any  
8 allegations contained in this paragraph that are inconsistent with or otherwise  
9 mischaracterize its language.

10 56. This paragraph includes legal conclusions that require no response. If a  
11 response is required, the State admits that some of the eligibility qualifications for Arizona  
12 voters are described. The State lacks sufficient information to admit or deny the remaining  
13 allegations in Paragraph 56 and therefore denies the same.

14 57. This paragraph includes legal conclusions that require no response. If a  
15 response is required, the State admits that Arizona voter registration forms “already  
16 contain[] a field for inputting place of birth,” but it denies the remaining allegations in  
17 Paragraph 57.

18 58. Deny.

19 59. Deny.

20 60. Deny.

21 61. Deny.

22 62. The State lacks sufficient information to admit or deny the allegations in  
23 Paragraph 62 and therefore denies the same.

24 ***U.S. Citizenship Checkmark Requirement***

25 63. This paragraph includes legal conclusions that require no response. The State  
26 alleges that HB 2492 speaks for itself and is accurately quoted, and further denies any  
27 allegations contained in this paragraph that are inconsistent with or otherwise  
28 mischaracterize its language.

1           64. This paragraph includes legal conclusions that require no response. If a  
2 response is required, the State lacks sufficient information to admit or deny the allegations  
3 in Paragraph 64 and therefore denies the same.

4           65. This paragraph includes legal conclusions that require no response. The State  
5 alleges that HB 2492 speaks for itself and is accurately quoted, and further denies any  
6 allegations contained in this paragraph that are inconsistent with or otherwise  
7 mischaracterize its language.

8           66. Deny.

9           67. Deny.

10           ***Documentary Proof of U.S. Citizenship Requirements***

11           68. Deny.

12           69. The State lacks sufficient information to admit or deny the allegations in  
13 Paragraph 69 and therefore denies the same.

14           70. Deny.

15           71. The State lacks sufficient information to admit or deny the allegations in  
16 Paragraph 71 and therefore denies the same.

17           72. The State lacks sufficient information to admit or deny the allegations in  
18 Paragraph 72 and therefore denies the same.

19           73. The State lacks sufficient information to admit or deny the allegations in  
20 Paragraph 73 and therefore denies the same.

21           74. The State lacks sufficient information to admit or deny the allegations in  
22 Paragraph 74 and therefore denies the same.

23           75. The State lacks sufficient information to admit or deny the allegations in  
24 Paragraph 75 and therefore denies the same.

25           76. The State admits the Supreme Court concluded that the NVRA preempted  
26 prior Arizona law that required “voter-registration officials to ‘reject’ any application for  
27 registration, including a Federal Form, that is not accompanied by concrete evidence of  
28 citizenship.” *Arizona v. Inter Tribal Council of Ariz., Inc.*, 570 U.S. 1, 5 (2013).

1           77. The State admits that there are two types of voters in Arizona: federal-only  
2 and those who can vote in federal, state, and local elections. The State lacks sufficient  
3 information to admit or deny the remaining allegations in Paragraph 77 and therefore denies  
4 the same.

5           78. Deny.

6           79. Admit.

7           80. Admit.

8           81. The State lacks sufficient information to admit or deny the allegations in  
9 Paragraph 81 and therefore denies the same.

10          82. The State lacks sufficient information to admit or deny the allegations in  
11 Paragraph 82 and therefore denies the same.

12          83. The State lacks sufficient information to admit or deny the allegations in  
13 Paragraph 83 and therefore denies the same.

14          84. The State lacks sufficient information to admit or deny the allegations in  
15 Paragraph 84 and therefore denies the same.

16          85. The State lacks sufficient information to admit or deny the allegations in  
17 Paragraph 85 and therefore denies the same.

18          86. The State lacks sufficient information to admit or deny the allegations in  
19 Paragraph 86 and therefore denies the same.

20          87. This paragraph includes legal conclusions that require no response. If a  
21 response is required, the State admits the allegations in Paragraph 87.

22          88. This paragraph includes legal conclusions that require no response. If a  
23 response is required, the State lacks sufficient information to admit or deny the allegations  
24 in Paragraph 88 and therefore denies the same.

25          89. This paragraph includes legal conclusions that require no response. If a  
26 response is required, the State lacks sufficient information to admit or deny the allegations  
27 in Paragraph 89 and therefore denies the same.

28          90. Deny.



1 91. Deny.

2 ***Severe and Disparate Restrictions on Eligible Federal-Only Voters***

3 92. Deny.

4 93. The State lacks sufficient information to admit or deny the allegations in  
5 Paragraph 93 and therefore denies the same.

6 94. This paragraph includes legal conclusions that require no response. If a  
7 response is required, the State lacks sufficient information to admit or deny the allegations  
8 in Paragraph 94 and therefore denies the same.

9 95. This paragraph includes legal conclusions that require no response. If a  
10 response is required, the State denies that HB 2492 arbitrarily discriminates and lacks  
11 sufficient information to admit or deny the remaining allegations in Paragraph 95 and  
12 therefore denies the same.

13 96. This paragraph includes legal conclusions that require no response. If a  
14 response is required, the State denies that HB 2492 improperly denies the right to vote and  
15 lacks sufficient information to admit or deny the remaining allegations in Paragraph 96 and  
16 therefore denies the same.

17 97. This paragraph includes legal conclusions that require no response. If a  
18 response is required, the State denies that HB 2492 improperly denies the right to vote and  
19 lacks sufficient information to admit or deny the remaining allegations in Paragraph 97 and  
20 therefore denies the same.

21 98. This paragraph includes legal conclusions that require no response. If a  
22 response is required, the State lacks sufficient information to admit or deny the allegations  
23 in Paragraph 98 and therefore denies the same.

24 99. Deny.

25 ***Discrimination Against Naturalized U.S. Citizens***

26 100. This paragraph includes legal conclusions that require no response. If a  
27 response is required, the State lacks sufficient information to admit or deny the allegations  
28 in Paragraph 100 and therefore denies the same.

1           101. This paragraph includes legal conclusions that require no response. The State  
2 alleges that HB 2492 speaks for itself and is accurately quoted, and further denies any  
3 allegations contained in this paragraph that are inconsistent with or otherwise  
4 mischaracterize its language.

5           102. The State lacks sufficient information to admit or deny the allegations in  
6 Paragraph 102 and therefore denies the same.

7           103. Admit.

8           104. The State lacks sufficient information to admit or deny the allegations in  
9 Paragraph 104 and therefore denies the same.

10           105. The State lacks sufficient information to admit or deny the allegations in  
11 Paragraph 105 and therefore denies the same.

12           106. The State lacks sufficient information to admit or deny the allegations in  
13 Paragraph 106 and therefore denies the same.

14           107. The State lacks sufficient information to admit or deny the allegations in  
15 Paragraph 107 and therefore denies the same.

16           108. The State lacks sufficient information to admit or deny the allegations in  
17 Paragraph 108 and therefore denies the same.

18           109. The State lacks sufficient information to admit or deny the allegations in  
19 Paragraph 109 and therefore denies the same.

20           110. This paragraph includes legal conclusions that require no response. If a  
21 response is required, the State lacks sufficient information to admit or deny the allegations  
22 in Paragraph 110 and therefore denies the same.

23           111. This paragraph includes legal conclusions that require no response. If a  
24 response is required, the State admits the allegations in Paragraph 111.

25           112. This paragraph includes legal conclusions that require no response. If a  
26 response is required, the State denies the allegations in Paragraph 112.

27           113. This paragraph includes legal conclusions that require no response. The State  
28 alleges that HB 2243 speaks for itself and is accurately quoted, and further denies any

1 allegations contained in this paragraph that are inconsistent with or otherwise  
2 mischaracterize its language.

3 114. This paragraph includes legal conclusions that require no response. If a  
4 response is required, the State admits the allegations in Paragraph 114.

5 115. The State lacks sufficient information to admit or deny the allegations in  
6 Paragraph 115 and therefore denies the same.

7 116. The State lacks sufficient information to admit or deny the allegations in  
8 Paragraph 116 and therefore denies the same.

9 ***Harassing Investigations and Wrongful Prosecutions***

10 117. Deny.

11 118. Deny.

12 119. This paragraph includes legal conclusions that require no response. If a  
13 response is required, the State lacks sufficient information to admit or deny the allegations  
14 in Paragraph 119 and therefore denies the same.

15 120. This paragraph includes legal conclusions that require no response. The State  
16 alleges that HB 2492 speaks for itself and is accurately quoted, and further denies any  
17 allegations contained in this paragraph that are inconsistent with or otherwise  
18 mischaracterize its language.

19 121. The State lacks sufficient information to admit or deny the allegations in  
20 Paragraph 121 and therefore denies the same.

21 122. Deny.

22 ***HB 2492 and HB 2243 Impose Severe, Arbitrary, and Discriminatory Burdens***

23 123. This paragraph includes legal conclusions that require no response. If a  
24 response is required, the State denies the allegation of “severe and undue burdens” and lacks  
25 sufficient information to admit or deny the allegations in Paragraph 123 and therefore denies  
26 the same.

27 124. The State lacks sufficient information to admit or deny the allegations in  
28 Paragraph 124 and therefore denies the same.

1           125. The State lacks sufficient information to admit or deny the allegations in  
2 Paragraph 125 and therefore denies the same.

3           126. The State lacks sufficient information to admit or deny the allegations in  
4 Paragraph 126 and therefore denies the same.

5           127. The State lacks sufficient information to admit or deny the allegations in  
6 Paragraph 127 and therefore denies the same.

7           128. The State lacks sufficient information to admit or deny the allegations in  
8 Paragraph 128 and therefore denies the same.

9           129. The State lacks sufficient information to admit or deny the allegations in  
10 Paragraph 129 and therefore denies the same.

11           130. The State lacks sufficient information to admit or deny the allegations in  
12 Paragraph 130 and therefore denies the same.

13           131. The State lacks sufficient information to admit or deny the allegations in  
14 Paragraph 131 and therefore denies the same.

15           132. The State lacks sufficient information to admit or deny the allegations in  
16 Paragraph 132 and therefore denies the same.

17           133. The State lacks sufficient information to admit or deny the allegations in  
18 Paragraph 133 and therefore denies the same.

19           134. The State lacks sufficient information to admit or deny the allegations in  
20 Paragraph 134 and therefore denies the same.

21           135. The State lacks sufficient information to admit or deny the allegations in  
22 Paragraph 135 and therefore denies the same.

23           136. The State lacks sufficient information to admit or deny the allegations in  
24 Paragraph 136 and therefore denies the same.

25           ***Discrimination Against Eligible Native American Voters***

26           137. Deny.

27           138. Deny.

28           139. The State lacks sufficient information to admit or deny the allegations in

1 Paragraph 139 and therefore denies the same.

2 140. The State lacks sufficient information to admit or deny the allegations in  
3 Paragraph 140 and therefore denies the same.

4 141. The State lacks sufficient information to admit or deny the allegations in  
5 Paragraph 141 and therefore denies the same.

6 142. The State lacks sufficient information to admit or deny the allegations in  
7 Paragraph 142 and therefore denies the same.

8 143. The State lacks sufficient information to admit or deny the allegations in  
9 Paragraph 143 and therefore denies the same.

10 144. The State lacks sufficient information to admit or deny the allegations in  
11 Paragraph 144 and therefore denies the same.

12 145. The State lacks sufficient information to admit or deny the allegations in  
13 Paragraph 145 and therefore denies the same.

14 146. The State lacks sufficient information to admit or deny the allegations in  
15 Paragraph 146 and therefore denies the same.

16 147. The State lacks sufficient information to admit or deny the allegations in  
17 Paragraph 147 and therefore denies the same.

18 148. Deny.

19 149. The State denies that the proof of residence requirement is “discriminatory”  
20 and lacks sufficient information to admit or deny the remaining allegations in Paragraph  
21 149 and therefore denies the same.

22 150. Deny.

23 151. The State lacks sufficient information to admit or deny the allegations in  
24 Paragraph 151 and therefore denies the same.

25 152. The State lacks sufficient information to admit or deny the allegations in  
26 Paragraph 152 and therefore denies the same.

27 153. The State lacks sufficient information to admit or deny the allegations in  
28 Paragraph 153 and therefore denies the same.

1           154. The State lacks sufficient information to admit or deny the allegations in  
2 Paragraph 154 and therefore denies the same.

3           155. The State lacks sufficient information to admit or deny the allegations in  
4 Paragraph 155 and therefore denies the same.

5           ***Discrimination Against Eligible Latino, Language Minority, and Other Voters of***  
6           ***Color***

7           156. The State lacks sufficient information to admit or deny the allegations in  
8 Paragraph 156 and therefore denies the same.

9           157. The State lacks sufficient information to admit or deny the allegations in  
10 Paragraph 157 and therefore denies the same.

11           158. The State lacks sufficient information to admit or deny the allegations in  
12 Paragraph 158 and therefore denies the same.

13           159. The State lacks sufficient information to admit or deny the allegations in  
14 Paragraph 159 and therefore denies the same.

15           160. This paragraph includes legal conclusions that require no response. To the  
16 extent a response is required, the State denies that HB 2492 and HB 2243 “discriminate”  
17 against naturalized citizen voters and lacks sufficient information to admit or deny the  
18 remaining allegations in Paragraph 160 and therefore denies the same.

19           ***Totality of Circumstances***

20           161. Deny.

21           162. The State lacks sufficient information to admit or deny the allegations in  
22 Paragraph 162 and therefore denies the same.

23           163. The State lacks sufficient information to admit or deny the allegations in  
24 Paragraph 163 and therefore denies the same.

25           164. The State lacks sufficient information to admit or deny the allegations in  
26 Paragraph 164 and therefore denies the same.

27           165. The State lacks sufficient information to admit or deny the allegations in  
28 Paragraph 165 and therefore denies the same.

1           166. The State lacks sufficient information to admit or deny the allegations in  
2 Paragraph 166 and therefore denies the same.

3           167. The State lacks sufficient information to admit or deny the allegations in  
4 Paragraph 167 and therefore denies the same.

5           168. The State lacks sufficient information to admit or deny the allegations in  
6 Paragraph 168 and therefore denies the same.

7           169. The State lacks sufficient information to admit or deny the allegations in  
8 Paragraph 169 and therefore denies the same.

9           170. The State lacks sufficient information to admit or deny the allegations in  
10 Paragraph 170 and therefore denies the same.

11           171. The State lacks sufficient information to admit or deny the allegations in  
12 Paragraph 171 and therefore denies the same.

13           172. The State lacks sufficient information to admit or deny the allegations in  
14 Paragraph 172 and therefore denies the same.

15           173. The State lacks sufficient information to admit or deny the allegations in  
16 Paragraph 173 and therefore denies the same.

17           174. The State lacks sufficient information to admit or deny the allegations in  
18 Paragraph 174 and therefore denies the same.

19           175. The State lacks sufficient information to admit or deny the allegations in  
20 Paragraph 175 and therefore denies the same.

21           176. The State lacks sufficient information to admit or deny the allegations in  
22 Paragraph 176 and therefore denies the same.

23           177. The State lacks sufficient information to admit or deny the allegations in  
24 Paragraph 177 and therefore denies the same.

25           178. The State lacks sufficient information to admit or deny the allegations in  
26 Paragraph 178 and therefore denies the same.

27           179. The State admits that the quoted language is accurately reproduced, but it  
28 lacks sufficient information to admit or deny any remaining allegations in Paragraph 179

1 and therefore denies the same.

2 180. The State admits that the quoted language is accurately reproduced, but it  
3 lacks sufficient information to admit or deny any remaining allegations in Paragraph 180  
4 and therefore denies the same.

5 181. The State lacks sufficient information to admit or deny the allegations in  
6 Paragraph 181 and therefore denies the same.

7 182. The State lacks sufficient information to admit or deny the allegations in  
8 Paragraph 182 and therefore denies the same.

9 183. The State lacks sufficient information to admit or deny the allegations in  
10 Paragraph 183 and therefore denies the same.

11 184. The State lacks sufficient information to admit or deny the allegations in  
12 Paragraph 184 and therefore denies the same.

13 185. The State lacks sufficient information to admit or deny the allegations in  
14 Paragraph 185 and therefore denies the same.

15 186. The State lacks sufficient information to admit or deny the allegations in  
16 Paragraph 186 and therefore denies the same.

17 187. The State lacks sufficient information to admit or deny the allegations in  
18 Paragraph 187 and therefore denies the same.

19 188. The State lacks sufficient information to admit or deny the allegations in  
20 Paragraph 188 and therefore denies the same.

21 189. The State lacks sufficient information to admit or deny the allegations in  
22 Paragraph 189 and therefore denies the same.

23 190. The State lacks sufficient information to admit or deny the allegations in  
24 Paragraph 190 and therefore denies the same.

25 191. The State lacks sufficient information to admit or deny the allegations in  
26 Paragraph 191 and therefore denies the same.

27 ***HB 2492 and 2493 Do Not Serve Any Legitimate Governmental Purpose***

28 192. Deny.



1 193. Deny.

2 194. Admit.

3 195. Deny.

4 196. The State lacks sufficient information to admit or deny the allegations in  
5 Paragraph 196 and therefore denies the same.

6 197. Deny.

7 198. The State lacks sufficient information to admit or deny the allegations in  
8 Paragraph 198 and therefore denies the same.

9 199. The State lacks sufficient information to admit or deny the allegations in  
10 Paragraph 199 and therefore denies the same.

11 200. The State lacks sufficient information to admit or deny the allegations in  
12 Paragraph 200 and therefore denies the same.

13 201. The State lacks sufficient information to admit or deny the allegations in  
14 Paragraph 201 and therefore denies the same.

15 202. The State lacks sufficient information to admit or deny the allegations in  
16 Paragraph 202 and therefore denies the same.

17 203. Deny.

18 204. The State lacks sufficient information to admit or deny the allegations in  
19 Paragraph 204 and therefore denies the same.

20 205. The State lacks sufficient information to admit or deny the allegations in  
21 Paragraph 205 and therefore denies the same.

22 206. The State lacks sufficient information to admit or deny the allegations in  
23 Paragraph 206 and therefore denies the same.

24 207. The State lacks sufficient information to admit or deny the allegations in  
25 Paragraph 207 and therefore denies the same.

26 208. The State lacks sufficient information to admit or deny the allegations in  
27 Paragraph 208 and therefore denies the same.

28 209. The State alleges that the statement referenced speaks for itself and further

1 denies any allegations contained in this paragraph that are inconsistent with or otherwise  
2 mischaracterize the statement. The State lacks sufficient information to admit or deny all  
3 remaining allegations in Paragraph 209 and therefore denies the same.

## 4 **PARTIES**

### 5 ***Plaintiffs***

#### 6 **Living United for Change in Arizona**

7 210. The State lacks sufficient information to admit or deny the allegations in  
8 Paragraph 211 and therefore denies the same.

9 211. The State lacks sufficient information to admit or deny the allegations in  
10 Paragraph 211 and therefore denies the same.

11 212. The State lacks sufficient information to admit or deny the allegations in  
12 Paragraph 212 and therefore denies the same.

13 213. The State lacks sufficient information to admit or deny the allegations in  
14 Paragraph 213 and therefore denies the same.

15 214. The State lacks sufficient information to admit or deny the allegations in  
16 Paragraph 214 and therefore denies the same.

17 215. The State lacks sufficient information to admit or deny the allegations in  
18 Paragraph 215 and therefore denies the same.

19 216. The State lacks sufficient information to admit or deny the allegations in  
20 Paragraph 216 and therefore denies the same.

21 217. The State lacks sufficient information to admit or deny the allegations in  
22 Paragraph 217 and therefore denies the same.

23 218. This paragraph includes legal conclusions that require no response. If a  
24 response is required, the State lacks sufficient information to admit or deny the allegations  
25 in Paragraph 218 and therefore denies the same.

26 219. The State denies that HB 2492 and HB 2243 are “unconstitutional” and lacks  
27 sufficient information to admit or deny the remaining allegations in Paragraph 219 and  
28 therefore denies the same.

1           220. The State lacks sufficient information to admit or deny the allegations in  
2 Paragraph 220 and therefore denies the same.

3           221. The State lacks sufficient information to admit or deny the allegations in  
4 Paragraph 221 and therefore denies the same.

5           222. The State denies that HB 2492 is “unconstitutional and unlawful” and lacks  
6 sufficient information to admit or deny the remaining allegations in Paragraph 222 and  
7 therefore denies the same.

8           223. The State lacks sufficient information to admit or deny the allegations in  
9 Paragraph 223 and therefore denies the same.

10          224. The State lacks sufficient information to admit or deny the allegations in  
11 Paragraph 224 and therefore denies the same.

12           **League of United Latin American Citizens**

13          225. The State lacks sufficient information to admit or deny the allegations in  
14 Paragraph 225 and therefore denies the same.

15          226. The State lacks sufficient information to admit or deny the allegations in  
16 Paragraph 226 and therefore denies the same.

17          227. The State lacks sufficient information to admit or deny the allegations in  
18 Paragraph 227 and therefore denies the same.

19          228. The State lacks sufficient information to admit or deny the allegations in  
20 Paragraph 228 and therefore denies the same.

21          229. The State lacks sufficient information to admit or deny the allegations in  
22 Paragraph 229 and therefore denies the same.

23          230. The State lacks sufficient information to admit or deny the allegations in  
24 Paragraph 230 and therefore denies the same.

25          231. The State lacks sufficient information to admit or deny the allegations in  
26 Paragraph 231 and therefore denies the same.

27          232. The State lacks sufficient information to admit or deny the allegations in  
28 Paragraph 232 and therefore denies the same.

1           233. The State denies that HB 2492 and 2443 are “unconstitutional” and lacks  
2 sufficient information to admit or deny the remaining allegations in Paragraph 233 and  
3 therefore denies the same.

4           234. The State lacks sufficient information to admit or deny the allegations in  
5 Paragraph 234 and therefore denies the same.

6           235. The State lacks sufficient information to admit or deny the allegations in  
7 Paragraph 235 and therefore denies the same.

8           236. The State denies that HB 2492 is “unconstitutional and unlawful” and lacks  
9 sufficient information to admit or deny the remaining allegations in Paragraph 236 and  
10 therefore denies the same.

11           237. The State lacks sufficient information to admit or deny the allegations in  
12 Paragraph 237 and therefore denies the same.

13           238. The State lacks sufficient information to admit or deny the allegations in  
14 Paragraph 238 and therefore denies the same.

15           **Arizona Students’ Association**

16           239. The State lacks sufficient information to admit or deny the allegations in  
17 Paragraph 239 and therefore denies the same.

18           240. The State lacks sufficient information to admit or deny the allegations in  
19 Paragraph 240 and therefore denies the same.

20           241. The State lacks sufficient information to admit or deny the allegations in  
21 Paragraph 241 and therefore denies the same.

22           242. The State lacks sufficient information to admit or deny the allegations in  
23 Paragraph 242 and therefore denies the same.

24           243. The State lacks sufficient information to admit or deny the allegations in  
25 Paragraph 243 and therefore denies the same.

26           244. The State lacks sufficient information to admit or deny the allegations in  
27 Paragraph 244 and therefore denies the same.

28           245. This paragraph includes legal conclusions that require no response. If a

1 response is required, the State lacks sufficient information to admit or deny the allegations  
2 in Paragraph 245 and therefore denies the same.

3 246. The State lacks sufficient information to admit or deny the allegations in  
4 Paragraph 246 and therefore denies the same.

5 247. The State denies that HB 2492 and HB 2243 are “unconstitutional” and lacks  
6 sufficient information to admit or deny the remaining allegations in Paragraph 247 and  
7 therefore denies the same.

8 248. The State lacks sufficient information to admit or deny the allegations in  
9 Paragraph 248 and therefore denies the same.

10 249. The State lacks sufficient information to admit or deny the allegations in  
11 Paragraph 249 and therefore denies the same.

12 250. The State denies that HB 2492 and HB 2243 are “unconstitutional and  
13 unlawful” and lacks sufficient information to admit or deny the remaining allegations in  
14 Paragraph 250 and therefore denies the same.

15 **ADRC Action**

16 251. The State lacks sufficient information to admit or deny the allegations in  
17 Paragraph 251 and therefore denies the same.

18 252. The State admits the quoted language is accurately reproduced, but it lacks  
19 sufficient information to admit or deny the remaining allegations in Paragraph 252 and  
20 therefore denies the same.

21 253. The State denies that HB 2492 is “unconstitutional and unlawful” and lacks  
22 sufficient information to admit or deny the remaining allegations in Paragraph 253 and  
23 therefore denies the same.

24 **Inter Tribal Council of Arizona, Inc.**

25 254. The State lacks sufficient information to admit or deny the allegations in  
26 Paragraph 254 and therefore denies the same.

27 255. The State lacks sufficient information to admit or deny the allegations in  
28 Paragraph 255 and therefore denies the same.

1           256. The State lacks sufficient information to admit or deny the allegations in  
2 Paragraph 256 and therefore denies the same.

3           257. The State lacks sufficient information to admit or deny the allegations in  
4 Paragraph 257 and therefore denies the same.

5           258. The State lacks sufficient information to admit or deny the allegations in  
6 Paragraph 258 and therefore denies the same.

7           259. The State lacks sufficient information to admit or deny the allegations in  
8 Paragraph 259 and therefore denies the same.

9           260. The State lacks sufficient information to admit or deny the allegations in  
10 Paragraph 260 and therefore denies the same.

11           261. The State lacks sufficient information to admit or deny the allegations in  
12 Paragraph 261 and therefore denies the same.

13           262. The State lacks sufficient information to admit or deny the allegations in  
14 Paragraph 262 and therefore denies the same.

15           263. This paragraph includes legal conclusions that require no response. If a  
16 response is required, the State lacks sufficient information to admit or deny the allegations  
17 in Paragraph 263 and therefore denies the same.

18           264. The State lacks sufficient information to admit or deny the allegations in  
19 Paragraph 264 and therefore denies the same.

20           265. The State lacks sufficient information to admit or deny the allegations in  
21 Paragraph 265 and therefore denies the same.

22           266. The State denies that HB 2492 involves “constitutional and statutory  
23 violations” and lacks sufficient information to admit or deny the remaining allegations in  
24 Paragraph 266 and therefore denies the same.

25           267. The State lacks sufficient information to admit or deny the allegations in  
26 Paragraph 267 and therefore denies the same.

27           268. The State lacks sufficient information to admit or deny the allegations in  
28 Paragraph 268 and therefore denies the same.

1           269. The State lacks sufficient information to admit or deny the allegations in  
2 Paragraph 269 and therefore denies the same.

3           270. The State lacks sufficient information to admit or deny the allegations in  
4 Paragraph 270 and therefore denies the same.

5           271. The State lacks sufficient information to admit or deny the allegations in  
6 Paragraph 271 and therefore denies the same.

7           272. The State lacks sufficient information to admit or deny the allegations in  
8 Paragraph 272 and therefore denies the same.

9           273. Deny.

10           **San Carlos Apache Tribe**

11           274. The State lacks sufficient information to admit or deny the allegations in  
12 Paragraph 274 and therefore denies the same.

13           275. The State lacks sufficient information to admit or deny the allegations in  
14 Paragraph 275 and therefore denies the same.

15           276. The State lacks sufficient information to admit or deny the allegations in  
16 Paragraph 276 and therefore denies the same.

17           277. The State lacks sufficient information to admit or deny the allegations in  
18 Paragraph 277 and therefore denies the same.

19           278. The State lacks sufficient information to admit or deny the allegations in  
20 Paragraph 278 and therefore denies the same.

21           279. The State lacks sufficient information to admit or deny the allegations in  
22 Paragraph 279 and therefore denies the same.

23           280. The State lacks sufficient information to admit or deny the allegations in  
24 Paragraph 280 and therefore denies the same.

25           281. The State lacks sufficient information to admit or deny the allegations in  
26 Paragraph 281 and therefore denies the same.

27           282. The State lacks sufficient information to admit or deny the allegations in  
28 Paragraph 282 and therefore denies the same.

1           283. The State lacks sufficient information to admit or deny the allegations in  
2 Paragraph 283 and therefore denies the same.

3           284. The State lacks sufficient information to admit or deny the allegations in  
4 Paragraph 284 and therefore denies the same.

5           285. Deny.

6           286. The State lacks sufficient information to admit or deny the allegations in  
7 Paragraph 286 and therefore denies the same.

8           287. The State lacks sufficient information to admit or deny the allegations in  
9 Paragraph 287 and therefore denies the same.

10          288. The State lacks sufficient information to admit or deny the allegations in  
11 Paragraph 288 and therefore denies the same.

12          289. The State denies that HB 2492 is “unconstitutional” and lacks sufficient  
13 information to admit or deny the remaining allegations in Paragraph 289 and therefore  
14 denies the same.

15          290. This paragraph includes legal conclusions that require no response. If a  
16 response is required, the State lacks sufficient information to admit or deny the allegations  
17 in Paragraph 290 and therefore denies the same.

18          291. The State lacks sufficient information to admit or deny the allegations in  
19 Paragraph 291 and therefore denies the same.

20          292. The State denies that HB 2492 involves “constitutional and statutory  
21 violations” and lacks sufficient information to admit or deny the remaining allegations in  
22 Paragraph 292 and therefore denies the same.

23           **Arizona Coalition for Change**

24          293. The State lacks sufficient information to admit or deny the allegations in  
25 Paragraph 293 and therefore denies the same.

26          294. The State lacks sufficient information to admit or deny the allegations in  
27 Paragraph 294 and therefore denies the same.

28          295. The State lacks sufficient information to admit or deny the allegations in



1 Paragraph 295 and therefore denies the same.

2 296. The State lacks sufficient information to admit or deny the allegations in  
3 Paragraph 296 and therefore denies the same.

4 297. The State lacks sufficient information to admit or deny the allegations in  
5 Paragraph 297 and therefore denies the same.

6 298. This paragraph includes legal conclusions that require no response. If a  
7 response is required, the State lacks sufficient information to admit or deny the allegations  
8 in Paragraph 298 and therefore denies the same.

9 299. The State denies that HB 2492 is “unconstitutional” and lacks sufficient  
10 information to admit or deny the remaining allegations in Paragraph 299 and therefore  
11 denies the same.

12 300. The State lacks sufficient information to admit or deny the allegations in  
13 Paragraph 300 and therefore denies the same.

14 301. The State lacks sufficient information to admit or deny the allegations in  
15 Paragraph 301 and therefore denies the same.

16 302. The State denies that HB 2492 is “unconstitutional and unlawful” and lacks  
17 sufficient information to admit or deny the remaining allegations in Paragraph 302 and  
18 therefore denies the same.

19 ***Defendant and Intervenor Defendants***

20 303. The State denies this allegation because the Secretary of State is currently  
21 Adrian Fontes, but it admits that the Secretary of State is a statewide elected public officer.

22 304. The State admits that the “Secretary of State serves as the Chief Election  
23 Officer for Arizona” and that the quoted language is accurately reproduced, but it lacks  
24 sufficient information to admit or deny the remaining allegations in Paragraph 304 and  
25 therefore denies the same.

26 305. The State denies this allegation because the Attorney General is currently  
27 Kristin Mayes, but it admits that the Attorney General is a statewide elected public officer.

28 306. The State admits that the “Attorney General is the State’s chief legal officer”

1 and that the quoted language is accurately reproduced, but it lacks sufficient information to  
2 admit or deny the remaining allegations in Paragraph 306 and therefore denies the same.

3 307. Admit.

4 **CLAIMS**

5 **Count 1: Undue Burden on the Right to Vote, First and Fourteenth Amendment**  
6 **(48 U.S.C. § 1983)**

7 308. The State incorporates by reference all preceding paragraphs as if fully set  
8 forth herein.

9 309. This paragraph includes legal conclusions that require no response. If a  
10 response is required, the State admits the quoted language is accurately reproduced.

11 310. This paragraph includes legal conclusions that require no response. If a  
12 response is required, the State admits the quoted language is accurately reproduced.

13 311. This paragraph includes legal conclusions that require no response. If a  
14 response is required, the State admits the quoted language is accurately reproduced.

15 312. Deny.

16 313. Deny.

17 314. Deny.

18 315. Deny.

19 316. The State lacks sufficient information to admit or deny the allegations in  
20 Paragraph 316 and therefore denies the same.

21 317. The State lacks sufficient information to admit or deny the allegations in  
22 Paragraph 317 and therefore denies the same.

23 318. The State lacks sufficient information to admit or deny the allegations in  
24 Paragraph 318 and therefore denies the same.

25 319. The State lacks sufficient information to admit or deny the allegations in  
26 Paragraph 319 and therefore denies the same.

27 320. The State lacks sufficient information to admit or deny the allegations in  
28 Paragraph 320 and therefore denies the same.

1           321. The State lacks sufficient information to admit or deny the allegations in  
2 Paragraph 321 and therefore denies the same.

3           322. Deny.

4           323. Deny.

5           324. Deny.

6           325. Deny.

7           326. Deny.

8           327. Deny.

9           328. Deny.

10                   **Count 2: National Origin Discrimination, Fourteenth Amendment**  
11                                   **(48 U.S.C. § 1983)**

12           329. The State incorporates by reference all preceding paragraphs as if fully set  
13 forth herein.

14           330. Deny.

15           331. Deny.

16           332. Deny.

17           333. Deny.

18           334. Deny.

19           335. Deny.

20                   **Count 3: Unlawful Discrimination, Fourteenth Amendment**  
21                                   **(48 U.S.C. § 1983)**

22           336. The State incorporates by reference all preceding paragraphs as if fully set  
23 forth herein.

24           337. Deny.

25           338. Deny.

26           339. Deny.

27           340. Deny.

28           341. Deny.

1                                   **Count 4: Immaterial Omission on Voter Registration Form**  
2                                   **(42 U.S.C. § 1983; 52 U.S.C. § 10101)**

3           342. The State incorporates by reference all preceding paragraphs as if fully set  
4 forth herein.

5           343. This paragraph includes legal conclusions that require no response. If a  
6 response is required, the State admits the quoted language is accurately reproduced.

7           344. This paragraph includes legal conclusions that require no response. If a  
8 response is required, the State lacks sufficient information to admit or deny any remaining  
9 allegations in Paragraph 345 and therefore denies the same.

10           345. Deny.

11           346. Deny.

12           347. Deny.

13           348. Deny.

14           349. Deny.

15           350. Deny.

16                                   **Count 5: Preemption Under the NVRA**  
17                                   **(42 U.S.C. § 1983; 52 U.S.C. §§ 20501, *et seq.*)**

18           351. The State incorporates by reference all preceding paragraphs as if fully set  
19 forth herein.

20           352. This paragraph includes legal conclusions that require no response. If a  
21 response is required, the State admits the quoted language is accurately reproduced, but it  
22 lacks sufficient information to admit or deny the remaining allegations in Paragraph 352  
23 and therefore denies the same.

24           353. This paragraph includes legal conclusions that require no response. If a  
25 response is required, the State admits the quoted language is accurately reproduced.

26           354. This paragraph includes legal conclusions that require no response. If a  
27 response is required, the State admits the quoted language is accurately reproduced.

28           355. This paragraph includes legal conclusions that require no response. If a

1 response is required, the State admits the quoted language is accurately reproduced.

2 356. This paragraph includes legal conclusions that require no response. If a  
3 response is required, the State lacks sufficient information to admit or deny the allegations  
4 in Paragraph 356 and therefore denies the same.

5 357. Admit.

6 358. This paragraph includes legal conclusions that require no response. If a  
7 response is required, the State denies that HB 2492 violates federal law and lacks sufficient  
8 information to admit or deny the remaining allegations in Paragraph 358 and therefore  
9 denies the same.

10 359. This paragraph includes legal conclusions that require no response. If a  
11 response is required, the State denies that HB 2492 violates federal law and lacks sufficient  
12 information to admit or deny the remaining allegations in Paragraph 359 and therefore  
13 denies the same.

14 360. The State denies that HB 2492 violates federal law and lacks sufficient  
15 information to admit or deny the allegations in Paragraph 360 and therefore denies the same.

16 361. This paragraph includes legal conclusions that require no response. If a  
17 response is required, the State denies that HB 2492 and HB 2243 violated federal law and  
18 lacks sufficient information to admit or deny the remaining allegations in Paragraph 361  
19 and therefore denies the same.

20 362. This paragraph includes legal conclusions that require no response. If a  
21 response is required, the State lacks sufficient information to admit or deny the allegations  
22 in Paragraph 362 and therefore denies the same.

23 **Count 6: Discriminatory Effects in Violation of Section 2 of the Voting Rights Act**  
24 **(42 U.S.C. § 1983; 52 U.S.C. § 10301)**

25 363. The State incorporates by reference all preceding paragraphs as if fully set  
26 forth herein.

27 364. This paragraph includes legal conclusions that require no response. If a  
28 response is required, the State admits the quoted language is accurately reproduced.

1           365. This paragraph includes legal conclusions that require no response. If a  
2 response is required, the State admits the quoted language is accurately reproduced.

3           366. This paragraph includes legal conclusions that require no response. If a  
4 response is required, the State lacks sufficient information to admit or deny the allegations  
5 in Paragraph 366 and therefore denies the same.

6           367. Deny.

7           368. The State lacks sufficient information to admit or deny the allegations in  
8 Paragraph 368 and therefore denies the same.

9           369. The State lacks sufficient information to admit or deny the allegations in  
10 Paragraph 369 and therefore denies the same.

11           370. This paragraph includes legal conclusions that require no response. If a  
12 response is required, the State lacks sufficient information to admit or deny the allegations  
13 in Paragraph 370 and therefore denies the same.

14           371. Deny.

15   **AFFIRMATIVE DEFENSES**

16           1. The Court lacks jurisdiction for lack of standing.

17           2. Plaintiffs’ claims fail because they are not ripe, and thus, not yet fit for judicial  
18 review.

19           3. Plaintiffs fail to state a claim upon which relief can be granted.

20           4. Plaintiffs fail to meet the requirements for declaratory relief or preliminary or  
21 permanent injunctive relief.

22           WHEREFORE, having fully answered Plaintiffs’ First Amended Complaint, the  
23 State respectfully requests that the Court dismiss the remaining counts of Plaintiffs’ First  
24 Amended Complaint with prejudice, deny Plaintiffs’ request for injunctive relief, deny  
25 Plaintiffs’ request for declaratory relief, order that Plaintiffs take nothing, and award the  
26 State any such other and further relief as the Court deems appropriate.

27   **DEMAND FOR JURY TRIAL**

28           Pursuant to Rule 38 of the Federal Rules of Civil Procedure, the State hereby

1 demands a trial by jury in this action of all issues so triable.

2 DATED this 17th day of March, 2023.

3 **KRISTIN K. MAYES**  
4 **ATTORNEY GENERAL**

5  
6 By: /s/ Hayleigh S. Crawford  
7 Hayleigh S. Crawford (No. 032326)  
8 Joshua M. Whitaker (No. 032724)  
9 Robert J. Makar (No. 033579)

10 *Attorneys for Defendants*  
11 *Attorney General Kristin K. Mayes and*  
12 *State of Arizona*

13 **FENNEMORE CRAIG, P.C.**

14 By: /s/ Emily Ward  
15 Douglas C. Northup (No. 013987)  
16 Timothy J. Berg (No. 004170)  
17 Emily Ward (No. 029963)

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